

Appropriating Funds For Payment Of Various Judgments And Claims From The Participant's Assessments Contributions – Amending The 2013 Ulster County Budget – Department of Self-Insurance

Referred to: The Laws and Rules, Governmental Services Committee (Chairman Roberts and Legislators Fabiano, Donaldson, Loughran, Maio, Parete and Ronk) and The Ways and Means Committee (Chairman Gerentine and Legislators Gregorius, Maio, Maloney, Provenzano, Rodriguez and Ronk)

Chairman of the Laws and Rules, Governmental Services Committee, Kevin A. Roberts, and Deputy Chairman Robert S. Parete offer the following:

WHEREAS, the County of Ulster administers a pooled self-insurance plan pursuant to Article 5 of the New York State Workers' Compensation Law, for workers' compensation which is funded by participants assessments; and

WHEREAS, the adopted 2013 budget includes \$4,000,000.00 to cover the plan's obligations for benefits and awards for workers' compensation indemnity; and

WHEREAS, the current estimated costs to settle workers' compensation obligations for indemnity benefits and awards for the plan in 2013 are approximately \$675,000.00 more than the budgeted amount; and

WHEREAS, such increase is due primarily to settling of claims, in full and final payment, in order to close out such open claims as provided for by Section 32 of the New York State Workers' Compensation Law; and

WHEREAS, the funds available through New York State under Workers' Compensation Law Sections 15(8) and 25-a for such settlement of claims are being phased out by New York State, causing an increase in the plan participants' responsibility; and

WHEREAS, the additional settlement costs will be recouped by the plan through assessments to the participants; and

WHEREAS, the Ulster County Insurance Officer requests that \$675,000.00 be appropriated for payment of such claims against the County administered plan anticipated for the remainder of 2013; now, therefore be it

Resolution No. 289 November 19, 2013

**Appropriating Funds For Payment Of Various Judgments And
Claims From The Participant's Assessments Contributions –
Amending The 2013 Ulster County Budget – Department of Self-
Insurance**

RESOLVED, that the 2013 Ulster County Budget is hereby amended as follows:

| | <u>INCREASE</u> | <u>AMOUNT</u> |
|--------------------------|-----------------------------------|----------------------|
| S4-1351-4961 (Appr.#) | Benefits & Awards-WC Indemnity | \$ 675,000.00 |
| S3-1352-2222 (Rev. #) | Participants' Assessments | \$675,000.00 |

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Aiello and Harris)
(Legislator Donaldson arrived at 7:27 PM)
(Legislator Richard Parete arrived at 7:44 PM)

Passed Committee: Ways and Means on November 12, 2013

Passed Committee: Laws and Rules, Governmental Services on November 19, 2013

FINANCIAL IMPACT:

\$675,000.00 – ADDITIONAL 2013 APPROPRIATIONS

\$675,000.00 – ADDITIONAL PARTICIPANTS' ASSESSMENTS

Resolution No. 289 November 19, 2013

**Appropriating Funds For Payment Of Various Judgments And
Claims From The Participant's Assessments Contributions –
Amending The 2013 Ulster County Budget – Department of Self-
Insurance**

STATE OF NEW YORK

ss:

COUNTY OF ULSTER

This is to certify that I, the undersigned Clerk of the Legislature of the County of Ulster have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 19th Day of November, 2013, and that the same is a true and correct transcript of said resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 19th Day of November in the year Two Thousand and Thirteen.

/s/ Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

Submitted to the County Executive this
20th Day of November, 2013.

Approved by the County Executive this
_____ Day of November, 2013.

/s/ Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

Michael P. Hein, County Executive